

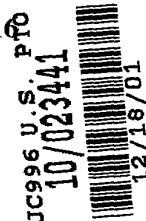
12-20-01

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- 1 -

CP216



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Martin J. Jacobs and  
Piyush R. Patel

Serial No.: Not assigned

Group Art Unit: Not assigned

Filing Date: Herewith

Examiner: Not assigned

For: MODAFINIL COMPOUND AND CYCLODEXTRIN MIXTURES

EXPRESS MAIL LABEL NO: ET251651615US  
DATE OF DEPOSIT: December 18, 2001

Box ☒ Patent Application  
☐ Provisional ☐ Design

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☐ continuation ☐ divisional ☐ continuation-in-part of prior application number  
\_\_\_\_/\_\_\_\_.

☐ A Provisional Patent Application under 37 C.F.R. 1.53(c).

☐ A Design Patent Application (submitted in duplicate).

☐ **Request for Nonpublication.** The invention(s) disclosed in the present application filed herewith has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. Thus, pursuant to 35 U.S.C. § 122 (b)(2)(B)(i), Applicant(s) request that the above-identified patent application not be published.

Including the following:

☐ Provisional Application Cover Sheet.

☒ New or Revised Specification, including pages 1 to 24 containing:

☒ Specification

☒ Claims

☒ Abstract

☐ Substitute Specification, including Claims and Abstract.

☐ The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.

☐ The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_, which in turn is a continuation-in-part of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.

☐ A copy of earlier application Serial No. \_\_\_\_\_ Filed \_\_\_\_\_, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.

☒ Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : ☐ This Application:  
☐ is a continuation of ☐ is a divisional of ☒ claims benefit of U.S. Provisional Application Serial No. 60/256,681 filed December 19, 2000.

☐ Signed Statement attached deleting inventor(s) named in the prior application.

☐ A Preliminary Amendment.

- ☒ 1 Sheets of Informal Drawings.
- ☒ Drawing view to publish: Figure 1.
- ☐ Petition to Accept Photographic Drawings.
- ☐ Petition Fee
- ☒ An ☐ Executed ☒ Unexecuted Declaration or Oath and Power of Attorney.
- ☐ An Associate Power of Attorney.
- ☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to \_\_\_\_\_
- ☐ ☐ A Recordation Form Cover Sheet.
- ☐ ☐ Recordation Fee - \$40.00.
- ☐ The prior application is assigned of record to \_\_\_\_\_
- ☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. \_\_\_\_\_ filed \_\_\_\_\_ in \_\_\_\_\_ (country).
- ☐ A Certified Copy of each of the above applications for which priority is claimed:
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
- ☐ Please enter the following amendment to the first sentence of the specification (or create such a sentence): "This application claims benefit of international application No. \_\_\_\_\_, which was published under PCT Article 21(2) in English."
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. § 1.27 as:
- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Corporation
- ☐ Diskette Containing DNA/Amino Acid Sequence Information.
- ☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.
- ☐ The computer readable form in this application \_\_\_\_\_, is identical with that filed in Application Serial Number \_\_\_\_\_, filed \_\_\_\_\_. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☐ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change

in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is ☐ included in the originally-filed specification of the instant application, ☐ included in a separately filed preliminary amendment for incorporation into the specification.

☐

Information Disclosure Statement.

☐

Attached Form 1449 (modified).

☐

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐

A copy of Petition for Extension of Time as filed in the prior case.

☐

Appended Material as follows: \_\_\_\_\_ .

☒

Return Receipt Postcard (should be specifically itemized).

☐

Other as follows:

\_\_\_\_\_ .

002441 121301


**FEE CALCULATION:**

- ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

				NOT SMALL ENTITY	
				RATE	FEE
PROVISIONAL APPLICATION				\$160.00	\$
DESIGN APPLICATION				\$330.00	\$
UTILITY APPLICATIONS BASE FEE				\$740.00	\$ 740.00
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS					
	No. Filed	No. Extra			
TOTAL CLAIMS	51 - 20 =	31			
INDEP. CLAIMS	7 - 3 =	4			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				\$280.00	\$ 280.00
ADDITIONAL FILING FEE				\$	\$
TOTAL FILING FEE DUE					\$1,914.00

- ☐ A Check is enclosed in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is authorized to charge payment for any or all of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 03-1195. This sheet is provided in duplicate.
- ☒ The foregoing amount due.
  - ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
  - ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
  - ☒ The issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance.
- ☐ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 03-1195. This sheet is provided in duplicate.

Date: December 18, 2001

  
Eric K. Voelk  
Registration No. 45,185

Cephalon, Inc.  
145 Brandywine Parkway  
West Chester, PA 19380  
Telephone: (610) 738-6465  
Facsimile: (610) 738-6590

Variable	Mean	SD	Min	Max
Age	34.5	10.2	18	65
Gender	Male	10.5	0	21
Marital status	Married	15.2	0	21
Education	High school	12.1	0	21
Occupation	Unemployed	18.3	0	21
Income	Low	10.8	0	21
Health status	Good	15.4	0	21
Stress level	High	12.7	0	21
Life satisfaction	Low	10.3	0	21
Depression	High	14.6	0	21
Loneliness	High	13.9	0	21
Self-esteem	Low	11.2	0	21
Resilience	Low	10.7	0	21
Optimism	Low	11.5	0	21
Gratitude	Low	10.9	0	21
Forgiveness	Low	11.1	0	21
Empathy	Low	10.6	0	21
Prosocial behavior	Low	10.4	0	21
Aggression	High	12.3	0	21
Conduct problems	High	13.1	0	21
Delinquency	High	12.8	0	21
Substance use	High	13.5	0	21
Academic achievement	Low	11.8	0	21
Social skills	Low	11.4	0	21
Emotional regulation	Low	11.0	0	21
Problem-solving	Low	10.5	0	21
Decision-making	Low	10.2	0	21
Goal setting	Low	10.1	0	21
Time management	Low	10.3	0	21
Organization	Low	10.4	0	21
Planning	Low	10.5	0	21
Initiative	Low	10.6	0	21
Perseverance	Low	10.7	0	21
Self-discipline	Low	10.8	0	21
Responsibility	Low	10.9	0	21
Accountability	Low	11.0	0	21
Integrity	Low	11.1	0	21
Honesty	Low	11.2	0	21
Trustworthiness	Low	11.3	0	21
Reliability	Low	11.4	0	21
Consistency	Low	11.5	0	21
Stability	Low	11.6	0	21
Endurance	Low	11.7	0	21
Patience	Low	11.8	0	21
Self-control	Low	11.9	0	21
Impulse control	Low	12.0	0	21
Emotional stability	Low	12.1	0	21
Neuroticism	High	12.2	0	21
Extraversion	Low	12.3	0	21
Conscientiousness	Low	12.4	0	21
Openness	Low	12.5	0	21
Agreeableness	Low	12.6	0	21
Conformity	Low	12.7	0	21
Traditionality	Low	12.8	0	21
Religiosity	Low	12.9	0	21
Spirituality	Low	13.0	0	21
Philosophy	Low	13.1	0	21
Worldview	Low	13.2	0	21
Beliefs	Low	13.3	0	21
Values	Low	13.4	0	21
Attitudes	Low	13.5	0	21
Opinions	Low	13.6	0	21
Preferences	Low	13.7	0	21
Interests	Low	13.8	0	21
Hobbies	Low	13.9	0	21
Skills	Low	14.0	0	21
Talents	Low	14.1	0	21
Abilities	Low	14.2	0	21
Intelligence	Low	14.3	0	21
Wisdom	Low	14.4	0	21
Knowledge	Low	14.5	0	21
Understanding	Low	14.6	0	21
Insight	Low	14.7	0	21
Perception	Low	14.8	0	21
Observation	Low	14.9	0	21
Attention	Low	15.0	0	21
Concentration	Low	15.1	0	21
Focus	Low	15.2	0	21
Alertness	Low	15.3	0	21
Awareness	Low	15.4	0	21
Consciousness	Low	15.5	0	21
Intuition	Low	15.6	0	21
Sensitivity	Low	15.7	0	21
Receptivity	Low	15.8	0	21
Openness to experience	Low	15.9	0	21
Curiosity	Low			